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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/545,592	04/07/2000	Richard Henry Mandel III	ST9-99-179	9939

27896   7590   01/27/2003

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EXAMINER
NGUYEN, TAM V

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 01/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 November 2002* .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

1.   Claims 1-33 are pending in this action. Claims 1-33 are presented for

examination. This office action is in response to the applicant argument

filed11/13/02.

Response to Arguments

2.   Applicant's arguments filed 11/13/02 have been fully considered but they

are not persuasive. (See examiner's remark section).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

4.   Claims 1-3, 6-14, 17-25, and 28-33 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Goldberg et al. (US 6430556B1) in view of Chan et

al. (US 5339419).

With respect to claim 1, Goldberg discloses modifying the query to replace

one or more selected, (col. 2, lines 36-col. 3, lines 35).

Goldberg does not clearly show a false clause.

Chan teaches the Hpcode-Plus instructions between the CEXP and the

matching CSEP Hpcode-Plus instructions represent the true clause of the

conditional evaluation. The Hpcode-Plus instruction between the CSEP and the

matching CEND Hpcoe-Plus instructions represent the false clause of the

conditional evaluation. Both the true clause and the false clause must either result in zero or one item being pushing onto the expression stack, (col. 19, lines 11-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Goldberg by including the Hpcode-Plus instructions between the CEXP and the matching CSEP Hpcode-Plus instructions represent the true clause of the conditional evaluation. The Hpcode-Plus instruction between the CSEP and the matching CEND Hpcoe-Plus instructions represent the false clause of the conditional evaluation. Both the true clause and the false clause must either result in zero or one item being pushing onto the expression stack, as taught by Chan, so the users can retrieve useful and desirable result information.

Goldberg further disclose executing the modified query with the false clause, (col. 2, lines 36-col. 3, lines 35, and col. 3, lines 46-col. 4, lines 6); and retrieving metadata from the result set obtained by executing the modify query, (col. 3, lines 46-col. 4, lines 6).

As to claims 2, 13, and 24, Goldberg further discloses the query comprises a select statement, (col. 2, lines 36-45).

As to claims 3, 14, and 25, Goldberg further discloses the select statement is not a select into statement, (col. 2, lines 36-45).

As to claim 6, 17, and 28, Goldberg further discloses generating a list of modified queries, wherein each modified query has one or more selected clauses

As to claim 6, 17, and 28, Goldberg further discloses generating a list of modified queries, wherein each modified query has one or more selected clauses replaced with a false clause, (col. 2, lines 36-col. 3, lines 55); and executing each modified query until one executes successfully, (col. 10, lines 31-38).

As to claim 7, 18, and 29, Goldberg further discloses wherein a query executes successfully if it executes without an exception, (col. 10, lines 31-38).

As to claim 8, 19, and 30, Goldberg further discloses wherein the metadata comprises column type data for the result set, (col. 3, lines 46-col. 4, lines 6).

As to claims 9, 20, and 31, Goldberg further discloses generating a sqlj iterator with parameters having the java types, (col. 7, lines 40-49).

As to claim 10, 21, and 31, Goldberg further discloses generating a sqlj iterator with parameters having the java types, (col. 7, lines 40-49).

As to claim 11, 22, and 33, Goldberg further discloses determining whether the query requires a sqlj iterator, (col. 11, lines 50-55).

With respect to claims 12 and 23, the subject matter of claims 12 and 28 are rejected in the analyzed above in claim 1; therefore, claim 12 and 28 are also rejected for the same reasons as given in claim 1.

5.   Claims 4-5, 15-16, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg et al. (US 6430556B1) in view of Colby et al. (US 6199063B1).

As to claims 4, 15, and 26, Goldberg does not clearly show the selected clauses comprise where clause where clause.

Colby teaches the query in the precomputed view can be classified into several clauses: "select", "from", "where", and "group by", (col. 8, lines 8-51). Therefore, it would been obvious to one of ordinary skill in the art at the time the invention was made to modify Goldberg by including the query in the precomputed view can be classified into several clauses: "select", "from", "where", and "group by", as taught by Colby, so that the system provides for quickly and efficiently deriving and answer to a relational database query using materialized views where the materialized view definition may or may not exactly match the query.

As to claims 5, 16, and 27, Goldberg does not clearly show the selected clauses comprise group by e clause.

Colby teaches the query in the precomputed view can be classified into several clauses: "select", "from", "where", and "group by", (col. 8, lines 8-51).

Therefore, it would been obvious to one of ordinary skill in the art at the time the

invention was made to modify Goldberg by including the query in the

precomputed view can be classified into several clauses: "select", "from",

"where", and "group by", as taught by Colby, so that the system provides for

quickly and efficiently deriving and answer to a relational database query using

materialized views where the materialized view definition may or may not exactly

match the query.

Remark

(A)   Applicant(s) asserted that Goldberg does not teach or even suggest

modifying a query for any reason other than to assure syntax compatibility with a

database engine.

The examiner disagrees with the precedent assertion because Goldberg

teaches each query object contains one or more queries which are also

displayed on the graphic display. The queries can be manipulated by other

menu options 810. These options might include such operations as "Add Query",

"Delete Query" and "Modify Query", (col. 10, lines 31-38).

(B)   Applicant(s) asserted that Goldberg does not teach or even suggest

retrieving metadata from the result set obtained by executing the modified query.

The examiner disagrees with the precedent assertion because Goldberg

teaches the database schema access query object is designed specifically for a

particular underlying database and retrieves "metadata" concerning the database

schema, (col. 3, lines 47-54).

(C)   Applicant(s) asserted Chan does not make up the deficiency of Goldberg

for teaching the use of a false clause.

The examiner disagrees with the precedent assertion because false

clause is well known in the art, this is a computer programmer defines the if and

then condition. However, Chan reference was teaching the true clause and the

false clause must either result in zero or more item being pushed onto the

expression stack, (col. 19, lines 11-34). Therefore, the examiner maintains the

rejection.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of

time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Contact Information

7.   **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

8.   **Any inquiry concerning this communication or earlier**

communications from the examiner should be directed to Tam V Nguyen

whose telephone number is (703) 305-3735. The examiner can normally be

reached on 7:30AM-5: 00PM.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Kim Yen Vu can be reached on (703) 305-4393. The fax

phone numbers for the organization where this application or proceeding is

assigned are (703) 746-7239 for formal communications and (703) 746-7240 for

informal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, Virginia 22202. Fourth Floor (Receptionist).

9.   Any inquiry of a general nature or relating to the status of this application

or proceeding should be directed to the receptionist whose telephone number is

703-305-3900.

TV:tv

0/16/03

JEAN M. CORRIELUS
PRIMARY EXAMINER